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Human rights questions: implementation of human rights instruments

Argentina, Colombia, Cuba, Ecuador, Egypt, Guatemala, Mexico, Niger, Philippines and Timor-Leste: draft resolution

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Guided by the basic instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights[1] and other relevant human rights instruments, and reaffirming the obligation of States to promote and protect human rights and fundamental freedoms,

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Recalling also the entry into force of the Convention on 1 July 2003,

Considering that in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] all States are urged to guarantee the protection of the human rights of all migrant workers and their families and are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

Bearing in mind the principles and norms established within the framework of the International Labour Organization and the importance of the work done in connection with migrant workers and members of their families in other specialized agencies and in various organs of the United Nations,

Conscious of the marked increase in migratory movements that has occurred, especially in certain parts of the world,

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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Deeply concerned at the manifestations of violence, racism, racial discrimination, xenophobia and other forms of intolerance and inhuman and degrading treatment directed against migrants in various parts of the world,

Recognizing the urgent need to make further efforts worldwide to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families, and aware of the important contribution of the Convention in this regard,

1. *Welcomes* the signature or ratification of or accession to the International Convention on the Protection of the Rights of all Migrant Workers and Their Families by additional States, and takes note of the report of the Secretary-General on the status of the Convention;[3]

2. *Calls upon* all Member States that have not yet done so to consider urgently signing and ratifying or acceding to the Convention, with the aim of achieving a broader participation by Member States in the Convention;

3. *Welcomes* the establishment of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the report of its first session,[4] which took place from 1 to 5 March 2004, and takes note of the rules of procedure[5] adopted by the Committee;

4. *Requests* the Secretary-General to continue providing all the necessary facilities and assistance for the effective functioning of the Committee;

5. *Invites* the Committee to take into account the work done by other human rights treaty bodies and special procedures of the Commission on Human Rights to protect and promote the human rights of migrant workers, as well as the work of other international forums and other parts of the United Nations system in addressing issues of international migration;

6. *Also invites* the Committee to take into account the efforts of other human rights committees to improve their methods of work and to avoid any duplication;

7. *Calls upon* States parties to the Convention to submit in due time their first periodic report, as requested in article 73 of the Convention;

8. *Invites* States parties to the Convention to consider making the declarations foreseen in articles 76 and 77 of the Convention;

9. *Requests* the Secretary-General to provide all the facilities and assistance necessary for the active promotion of the Convention through the programme of advisory services and technical cooperation in the field of human rights;

10. *Welcomes* the increasing activities undertaken by the organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to disseminate information on and promote understanding of the importance of the Convention, and invites them to intensify further their efforts in this regard;

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[3] A/59/328.

[4] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 48* (A/59/48).

[5] Ibid., annex IV.

11. *Also welcomes* the work of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in relation to the Convention, and encourages her to persevere in her efforts;

12. *Requests* the Secretary-General to submit an updated report on the status of the Convention to the General Assembly at its sixty-first session.